

# ***SECTION 1: GENERAL SUBDIVISION AUTHORITY OF THE CITY***

## ***SECTION 1.01 AUTHORITY, PURPOSE & APPLICABILITY***

(a) **Authority.** The regulations of this Subdivision Ordinance are authorized under the authority of Texas Local Government Code, Chapter 212 (including Subchapter B) and the City's charter. The provisions of this Subdivision Ordinance expressly extend to all areas inside the City limits and throughout the City's extraterritorial jurisdiction (ETJ), as either may be adjusted in the future, and as provided in the City's interlocal agreements with Collin and Denton Counties in accordance with Chapter 242 of the Texas Local Government Code.

(b) **Purpose.**

- (1) The development and subdivision of land, as they affect a community's quality of life, are activities for which regulation is a valid function of municipal government. The regulations contained within this Subdivision Ordinance are intended to protect the interests of the public and of private parties by granting certain rights and privileges. The requirements in this Ordinance are also intended to establish a fair and rational procedure for developing and subdividing land such that land will be developed in accordance with existing physical, social, economic and environmental conditions.
- (2) The provisions of this Ordinance are intended to implement standards and requirements provided for herein, and shall be requirements for the platting and developing of subdivisions within the City and its ETJ.
- (3) The provisions of this Ordinance are intended to implement the following objectives:
  - a. Promote the development and the utilization of land in a manner that provides an attractive and high-quality community environment in accordance with the Comprehensive Plan and the Zoning Ordinance of the City;
  - b. Guide and assist property owners and applicants in the correct procedures to be followed, and to inform them of the required standards;
  - c. Protect the public interest by having standards for, but not limited to, the location, design, class and type of streets, sidewalks, trails, alleys, utilities and essential public services;
  - d. Assist orderly, efficient and coordinated development within the City's limits and its ETJ;
  - e. Integrate the development of various tracts of land into the community, and coordinate the future development of adjoining tracts;
  - h. Promote the most efficient and beneficial provision of public facilities and services for each tract being subdivided;
  - i. Provide for compatible relationships between land uses and buildings;



- j. Provide for efficient traffic circulation throughout the municipality;
- k. Provide for pedestrian circulation that is appropriate for the various uses of land and buildings;
- l. Minimize pollution of the air, streams, bodies of water, and aquifers; promote the adequacy of storm drainage facilities; minimize erosion; safeguard both surface and groundwater supplies, as well as natural resources and endangered or threatened plant and animal life; and encourage the wise use and management of natural resources throughout the municipality in order to preserve the integrity, stability and beauty of the community and the value of the land;
- m. Preserve the natural beauty and topography of public and private properties by encouraging where possible that natural features and land forms are incorporated into developments as amenities;
- n. Establish adequate and accurate records of land subdivision;
- o. Provide for public or private facilities that are available and will have sufficient capacity to serve proposed and future developments and citizens within the City and its ETJ;
- p. Provide for adequate light, air and privacy; secure safety from fire, flood and other dangers; and prevent overcrowding of the land and undue congestion of population;
- q. Encourage the development of residential areas that incorporate a range of housing and lifestyle choices.

**(c) Applicability.**

- (1) The provisions of this Subdivision Ordinance apply to any non-exempt (see Section 4.01(c)) division of land, combination of separate land parcels, and/or development of land within the corporate boundaries of the City and within its ETJ.
- (2) No permit shall be issued for any building or structure on a property until a plat has been approved and filed for record unless specifically exempted herein (see Sections 4.01(c) and 5.02).

**(d) Subdivision Rules.** The provisions of this Subdivision Ordinance, the standards governing constructed facilities applicable to plats in other portions of the Municipal Code of Ordinances, and the technical standards contained in the *Engineering Design Standards and Construction Details*, constitute the subdivision rules of the City, which apply to applications for plat approval inside City limits and within the City's ETJ.

**(e) Compliance with City Plans and Ordinances Required.** Compliance with all City ordinances pertaining to the subdivision and development of land, and the City's Comprehensive Plan (where applicable), shall be required prior to approval of any application pursuant to this Ordinance. All such ordinances and the Comprehensive Plan shall be construed to mean those documents as they exist or may be amended. It is the property owner's responsibility to be familiar with, and to comply with, City ordinances, the Comprehensive Plan, and the provisions of this Ordinance. Applicable

City ordinances and plans with which all applications must comply include, but are not limited to, the following:

1. Comprehensive Plan (including all associated maps and plans);
2. Zoning Ordinance;
3. Building Codes;
4. Drainage System Design Requirements;
5. International Fire Code;
6. Other Applicable portions of the Municipal Code of Ordinances;
7. Impact Fee Ordinance;
8. Park Dedication Ordinance;
9. Engineering Documents including:
  - *Engineering Design Standards and Construction Details,*
  - *Thoroughfare and Circulation Design Requirements,* and
  - Other development-related engineering standards.
10. Federal, State and Local Environmental Regulations.



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